

### **Remarks**

The Office Action rejected claims under 35 USC §§ 103 and 112. Applicants amended claims 1, 3, 7, 14, 15, 19, 22 and 23. Applicants request reconsideration and withdrawal of the rejections. An Information Disclosure Statement accompanies this Amendment as a separate paper.

#### Election of Species

At least independent claims 1 and 19 remain generic to all of the Species described in the Office Action dated July 16, 1999.

#### Claim Rejections – 35 USC § 112

The Office Action rejected claims 1 and 19 under 35 USC § 112, second paragraph, as being indefinite. Specifically, the Office Action stated that the use of the relative term “high” renders the claims indefinite. Applicants removed every instance of such term from the claims, specifically claims 1, 19, 22 and 23. Applicants request that the Examiner reconsider and withdraw this rejection.

#### Claim Rejections – 35 USC § 103

The Office Action rejected claims 1-6 and 19-23 under 35 USC § 103 as being obvious over European Patent Application EP 0 710 618 A2 (hereinafter “Aulanko”) in view of U.S. Patent number 1,477,886 (hereinafter “Lewis”). Independent claims 1 and 19 both now recite that the drive sheave is positioned from the drive motor “along” the sidewall of the hoistway. Support for this feature, for example, appears in Figure 1. The sheave (44) is on a shaft

(unnumbered) extending from the motor (42). The shaft extends along a sidewall (32) of the hoistway (12) from the motor.

Aulanko fails to disclose or to suggest such a feature. In fact, the sheave (7) of Aulanko is positioned away from the sidewall of the hoistway relative to the drive motor (6). *See* Figure 1 of Aulanko. Any modification of Aulanko in this manner would render the reference unsuitable for its intended purpose. The machine of Aulanko (since it is generally flat, but large in radius) would no longer achieve the stated advantage of being “located in a lateral part of the shaft.” Paragraph 6, sixth bullet point, of Aulanko. The machine would extend into the vertical space occupied by the elevator car, and possibly conflict with the elevator car. Lewis and the remaining art of record also fail to overcome the shortcomings of Aulanko. In light of the foregoing, Applicants request that the Examiner reconsider and withdraw this rejection.

The Office Action rejected claim 8 under 35 USC § 103 as being obvious over Aulanko in view of Lewis, further in view of U.S. Patent number 5,469,937 (hereinafter “Hakala”). As discussed above, Aulanko and Lewis fail to disclose or to suggest all of the features of independent claims 1 and 19. For at least this reason, the rejection of dependent claim 8 must be withdrawn. Hakala and the remaining art of record fail to overcome the shortcomings of Aulanko and Lewis. Applicants request that the Examiner reconsider and withdraw this rejection.

#### Additional Amendments

Applicants modified dependent claims 3, 7, 14 and 15. These changes, however, were neither in response to any objection or rejection in the Office Action nor for any reason related to

patentability. Specifically, Applicants modified these claims to avoid repetition of features described in claims from which they depend.

### Conclusion

Applicants assert that the present application has overcome all of the rejections in the Office Action and is now in condition for allowance. Applicants request that the Examiner reconsider and withdraw the rejections, and provide a notice of allowability in the next communication.

Applicants do not believe any fees are due in connection with this Amendment.

Nevertheless, Applicants authorize the Commissioner to charge any fees that may be due under 37 CFR §§ 1.16 or 17 and to credit any overpayments to **Deposit Account Number 15-0750**, Order Number OT-4328.

Respectfully submitted,

ADAMS ET AL.



Brian J. Hamilla  
Registration Number 38,482  
Attorney for Applicants

Otis Elevator Company  
Intellectual Property Department  
10 Farm Springs Road  
Farmington, CT 06032  
860.676.5760